





**BILLION'S DECISION.**

**Sirmons' Court Renders the Decision**  
Asked for by Egbert.

**Limitations of Appropriations Fixed  
by Constitution.**

**Expenses of Departments of State  
to be Given Preference.**

**The Course to be Pursued if Bills  
is Excluded Not Satisfactory.**

**The Appropriations Decision.**

DENVER, October 25.—Justice S. J. Billings, of the supreme court, this morning rendered a decision on the question of the appropriations made by the Senate's general assembly as to the limitations fixed by the state constitution, which decision is given in a request recently made by Governor Cooper. The decision comes as follows:

In view of the examination we have given the subject, we are of the opinion that the acts of the general assembly making the necessary appropriations to defray the expenses of the executive, legislative and judicial departments of the state government for each year including the interest, on any sum available, are entitled to preference over all other appropriations from the general public revenue of the state without reference to the date of their passage and irrespective of the emergency clauses. We do not mean that such appropriations are valid if they exceed the limit prescribed by law, nor have we considered what item or items would be entitled to preference in case such a appropriation is aggregate sum due in excess of such constitutional limit. Such a question is not presented in the case before us, and we trust such a contingency may never occur.

The public safety fund of the state is inviolate. It is protected from a invasion by sundry constitutional safeguards and therefore is not included within the purview of this opinion. Any appropriations of less than those necessary to defray the expenses of the state government and to pay the interest on the public debt are being such as are proper to foster and maintain the public institutions and public improvements may be made by the general assembly to the extent of the surplus over and above the amount required for the necessary appropriations. A provision of less than those necessary to defray the expenses of the state government and to pay the interest on the public debt is being such as are proper to foster and maintain the public institutions and public improvements may be made by the general assembly to the extent of the surplus over and above the amount required for the necessary appropriations. In the aggregate sum due in excess of such constitutional limit. Such a question is not presented in the case before us, and we trust such a contingency may never occur.

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We do not deem it proper to further extend this opinion. In answering the interrogatories submitted so far as we have felt at liberty to go we have endeavored to be specific and guarded in our language; specific so as not to be misunderstood, guarded lest being unaided by the vigilance of consulting counsel, some provision of the constitution or law might be overlooked and erroneous conclusions reached.

**A Horrible Story.**

BALTIMORE, October 25.—Car Graves, Lefman and Ludwig Boer, seaman, survivors of the crew of the steamer *J. Barnmore*, told last night a story horrible in details of the way they sustained life by cannibalism or days. Boer said: "The only food we had for the first fifteen days in the boat was a dying fish and a few raw, small sea birds devoured among the even persons. On the sixteenth day Wm. Davis, seaman, caught me by the throat and made a cut at my head with a knife. He cut me at the right ear, a scar from which still remains as you see. He was to cut off my head but I was able to get away. When Davis began to cut me some of my companion caught him, but others sauc'd him 'till he stopped. We want something to eat; we are starving," said Davis and others in one end of the boat decided to eat him. Davis was soon as he could get him, as suppose, being pretty fat, I do not inviting.

"Boer was placed on watch that night but he was missing next morning. No one saw him go overboard. On the seventeenth day Wm. Robinson lay down to sleep. When they tried to call him they found him dead. It was determined to eat his flesh and Wm. Wright, the cook, was ordered to carve the body. The first thing done was to smash in Robinson's skull and from the fracture each one succeeded to get as long as it would last, which was but a little while. Then the cook stripped the flesh from the ribs. Next day the flesh in strips was placed on top of the water tight compartments and dried in the sun. After taking out Robinson's liver, heart and other parts which would furnish food to be succored, they threw the mutilated body in the sea. Two days after Robinson's death, the third engineer, Thomas Dunn, died. His body was a swollen up "float." In about three days the ribs and arms of a man began to swell and several broke out in ugly sores. We thought it poison from the human flesh and blood."

**Taking Evidence.**

CHICAGO, October 25.—The taking of evidence of identification was resumed in the Cronin case this morning. The identification was very perfect and very positive. The next matter taken up was the finding of the body in the catch basin by two sewer cleaners who notified the police of the fact and the policemen who were sent out and assisted in removing the body were sworn as to this point and described the position of the

body. Lawyer Forrest, for the defense, made a cross examination on this point very rigidly.

Then followed Dr. Lewis, the doctor, who made a set ofase to the Cronin. He identified the state taken from Cronin's mouth as the one he made. He said, the cast for another set excepted the dead man's mouth.

At the afternoon session Dr. Egbert stated the facts revealed by the autopsy, describing the wounds as great, jagged and giving it as his opinion that death had resulted from them. The wounds were on the head, but the skin was not broken, except that a small piece of bone was calved off at the corner of the eye. The stomach, and some of the contents were examined and Dr. Egbert said Cronin was killed within three hours after being eaten. The cross examination of Dr. Egbert covered the fact that none of the wounds were such as were necessary cause death. It was impossible, he admitted, to say whether the wounds were in the eye, nose or after death. The death resulted from the gun wounds, which probably have been caused by a blow to the brain. The question was put to the doctor: "Is it not scientifically true that the physicians found no evidence in the body that were certain to come from the cause of death?" Dr. Egbert replied: "That is true." He was of the opinion that a fatal occurrence through excessive loss of blood, but there was not certainty of it. Dr. Perkins, who assisted at the post mortem, took a cast received from the physician of the brain. The organ, however, was the most decomposed to obtain any information.

**Proving Self-defense.**

ST. LOUIS, October 25.—In the preliminary examination of Chambers for killing Bowman to-day two witnesses testified that Bowman made a shot on himself to draw a pistol before Chambers fired the fatal shot.

The event of the day was the testimony of the murderer Chambers. He said that Bowman and Garrett first came to the house and Bowman whispered to him (Chambers) that he must have \$3,000. "But I haven't got it," responded Chambers. "Then I must try everything in sight," said Bowman.

Chambers said he knew if Bowman once entered the house he would have no regard for his rights or feelings of anyone. He (Chambers) then brought out a gun and with the intention of shooting, Bowman said.

The correspondence received by the steamer *Mariposa*, which has just arrived, is an account of the meeting at which Yatava was elected: it says: "The meeting was attended by representatives of nearly all the districts and about 200 persons were present. The 6th King Yatava, who was recently brought here by the Savay, was now leaving Asia for Savay, where he will be joined by others. Their intention is to burn the houses of Tamasa's men if the parties who attacked their friends are not given to punishment. It is not improbable that the expedition may result in an open conflict between the forces of Yatava and Tamasa's forces."

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SALE OF LOTS

AND  
TOWN LOTS FOR TAXES.TREASURER'S OFFICE,  
COUNTY OF EL PASO, STATE OF COLORADO.

PUBLIC NOTICE is hereby given that I will, according to law, offer at public sale, at the office of the Treasurer of the County of El Paso and State of Colorado, on the 16th day of November, 1888,

FOURTH Day of November, 1888,

All succeeding days, commencing at the hour of 9 o'clock, a.m., or said day, so much of the above owing described real estate, situated in said county, on which the taxes for the year 1888 have not been paid, as shall be necessary to pay said taxes, interest and penalties, to wit:

NAME OF OWNER. PART OF SECTION. ACRES. TOWNSHIP. RANGE. SECTION. TAX.

Appleby, Henry..... n 1/2 nw cr, n 1/2 ne cr... 1. 13 28 160 \$250 43 73

Barnwell, R. E..... n 1/2 nw cr, nw ne cr, sw nw cr... 5. 13 23 131 502 28 41

Briggs, Conrad..... unc ne ne... 25. 12 69 128 20 830 7 86

Bishop, S. J..... unc 1/2 se cr, 1/2 in sw cr... 12. 13 35 130 16 26

Bruno, S. J..... nw sw cr... 23. 13 65 40 548 16 26

Bruno, S. J..... ne ne cr... 26. 13 59 40 75 8 40

Doubleday, Wm. F..... nw ne cr... 4. 13 65 40 51 8

Dyke, Mary..... n 1/2 se cr, sw ne cr, sw dw cr... 23. 13 69 130 250 8 73

Fisher, G. G..... unc w 1/2 sw cr... 38. 13 35 40 500 13 90

Gew, Ed..... sw ne cr... 7. 13 35 40 500 13 90

Guttsie, S. P..... nw sw cr, sw ne cr, sw se cr... 5. 13 65 40 500 13 90

Harr, Mrs. L. M..... w 1/2 sw cr, sw nw cr, sw se cr... 26. 13 65 40 500 13 90

Harrison, J. M..... s 1/2 ne cr, s 1/2 se cr... 26. 13 65 40 500 13 90

Harrison, G. B..... w 1/2 sw cr... 26. 13 65 40 500 13 90

Johnson, Wm. Z..... sw nw cr, w 1/2 ne cr, sw ne cr... 9. 13 65 40 500 13 90

Kerr, J. E..... n 1/2 ne cr... 26. 13 65 40 500 13 90

Knoblock, Jas. A..... unc 1/2 ne cr... 24. 13 65 40 500 13 90

Le Barron, C..... unc 1/2 se cr, unc 1/2 sw cr... 9. 13 65 40 500 13 90

Legton, Catharine S..... acre of e of nw cr... 28. 13 35 40 500 13 90

Lewis, W. G..... ne sw cr, nw se cr... 8. 13 35 40 500 13 90

Lincoln, Andrew G..... nw nw cr... 6. 13 65 40 500 13 90

n 1/2 ne cr, sw ne cr, nw cr... 27. 65 230 200 81 20

n 1/2 ne cr, n 1/2 nw cr, sw nw cr... 15. 13 65 240

n 1/2 nw cr, sw cr, w 1/2 se cr... 15. 13 65 240 45 55

n 1/2 ne cr... 32. 13 65 260 240 45 55

n 1/2 nw cr, sw nw cr... 32. 13 65 260 240 45 55

n 1/2 se cr... 68. 13 65 260 240 45 55

Meet, W. E..... w 1/2 se cr, e 1/2 sw cr... 18. 13 65 260 240 45 55

McKenzie, John E..... e 1/2 se cr, nw se cr, ne nw cr... 94. 13 65 260 240 45 55

Nash, B. F..... ne nw cr, w 1/2 ne cr, sw cr... 94. 13 65 260 240 45 55

O. C. E. en... sw sw cr... 16. 13 65 260 240 45 55

Parter, No. C..... w 1/2 se cr, n 1/2 sw cr... 18. 13 65 260 240 45 55

Patterson, J. S..... n 1/2 nw cr... 18. 13 65 260 240 45 55

Phelon &amp; Russ... sw cr, sw nw cr... 18. 13 65 260 240 45 55

Reed, J. B..... e 1/2 sw cr, w 1/2 se cr... 27. 13 65 260 240 45 55

Robertson &amp; Lebe... ing south D &amp; G G... 24. 13 65 260 240 45 55

Sandt, E. C..... und 1/2 ne cr... 14. 13 65 260 240 45 55

Saior, W. F..... sw ne cr... 14. 13 65 260 240 45 55

Seymour, Mrs. J. E..... se cr... 19. 13 65 260 240 45 55

Stilington &amp; Eas... ne ne cr... 30. 13 65 260 240 45 55

Smi, J. R. D..... sw nw cr, n 1/2 sw cr, nw se cr... 12. 13 65 260 240 45 55

Vowles, J. D..... 1/2 of e 70 acres of e 1/2 nw cr... 23. 13 65 260 240 45 55

Waddo, W. A..... n 1/2 nw cr... 6. 13 65 260 240 45 55

Webb, A. E..... n 1/2 ne cr, e 1/2 se cr... 8. 13 65 260 240 45 55

Wilson, Levi B..... nw cr... 6. 13 65 260 240 45 55

Unknown... ne sw cr... 23. 13 65 260 240 45 55

n 1/2 sw cr... 33. 13 65 260 240 45 55

IN CITY OF COLORADO SPRINGS.

NAME OF OWNER. LOT OR PART OF LOT.

BLOCK. ADD. OR SUB. VALUE. TAX.

Bradley, W. R..... Inc 1' s 150' l o n 200 f o r w 100' t o ... 219 One J190 56 58

Brannon, T. H..... 1/4 inc w 1/2 o 13. 260 One 66 5. 57

Bruce, 36. 7 and w 20 l o 13. 260 West Bldg's. 675 23 56

Buriner, Mrs. V. Q., est o. 9 1/2 5. 266 One 185 6 42

Caraway, Chas. 4. 266 One 450 16 58

Campbell, Edwin C. 1. 269 One 700 24 24

Jeg at pt on w line said 3c 100' n o s w cor hereof, run e 100' t, n 100' t, w 190' t, s 100' t to beg.

Conant, Zather D. 35. 1,075 12 21 Beg at a pt on w line said 3c 100' n o s w cor hereof, run e 100' t, n 100' t, w 190' t, s 100' t to beg.

Carris, J. F. 144. 130 12 43 Devan, Wm. 250 One 100 3 46

Beg 50 ft w of s e cor said 3c, run n 100' t, w 50' t, s 100' t, e 50' t to beg.

Pratt, Lewis. W 55 t 9 and 10. 264 Two 200 2 6

Finc, M. C. 264 Two 200 24 24

Gray, W. E. 263 Two 165 17 11

Gillingham, C. 26. 825 64 89 Beg 50 t w o s e cor of 9, run w 80' t, n 100' t, e 80' t, s 100' t to beg

Guttsie, S. P. 261 One 450 12 12

Hatchett, Mr. W. 302 Two 425 14 48

16. 1. 215 One 300 10 38

7. 8. 9. 6. 62 One 750 25 87

15. 1. 132 Two 620 15 26

Leighton, Catharine S. 7. 1. 2 Beg 50' t o 7, 8 a n c s 35 10' 6. 267

Moore, Rose anc. 3. 35 10' 6. 267

McAulee, C. 3. 5. 202 Montane 75 7

McGrew, M. W. 312 Two 590 21 26

McLean, W. E. 282 2,200 122 65

McNeil, E. V., est o. 52. 265 2,500 81 82

O'Haire, W. 13. 265 575 2 26

Pastorini, W. 31. 265 Two 175 6 66

Pence, esse. 263 One 500 8 41

Rains, Conant. 4. 510 53 23

## CITY OF COLORADO SPRINGS—Continued.

## TOWN OF FOUNDATION—Continued.

NAME OF OWNER.	LOT OR PART OF LOT.	BLOCK.	ADD. OR SUB.	VALUE.	TAX.	NAME OF OWNER.	LOT OR PART OF LOT.	BLOCK.	ADD. OR SUB.	VALUE.	TAX.
Reed, J. S.	15, 16, 17, 18, 19.	264	One	60	2 08	Dunlap, James.	Jug 1/2 No 1.	5		\$20	50 68
	38 a n c 39.	261	One	620	22 16	Junc 1/2 No 10.	Jnc 1/2 No 10.	14	Reed's	15	25
Reacy, W.	26, 27.	262	Parish	285	17 79	Dunfee, Dennis.	No 11.	21	"	15	26
Reed, J. O.	12.	23	Young's	575	20 90	2nd, Is, Sust.	8.	42	"	15	17
Reed, Mary A.	5.	26	Young's	150	20 35	Zeeben, Chas.	15.	46	Reed's 2nd	25	43
Rucci, A.	4, 5, 6.	267	One	450	3 65	Edward, Geo.	1, 2.	10	"	15	26
Sacer, No. est o.	9.	201	One	1,040	67 35	Emig, Ida.	8 91	10	"	15	51
Stracan, no. est o.	1/2 3.	225	One	820	29 39	Gretchen, Mis.	12.	10	Reed's	15	25
Van Sicker, Wm. A.	1.	229	One	525	18 18	Ferguson, A. O.	15.	10	"	15	25
Wells, J. J.	1.	152	Young's	1,525	49 31	Genger, Geo.	21.	7	"	15	25
Wigot & West.	10, 11, 12.	21	Young's	800	38 88	Genger, Geo.	21.	12	"	15	20
Wicks, James.	21.	121	One	1,125	20 68	Gisell, Chas. G.	1.	22	"	15	17
	269	One	125	4 33	10.	7.	10.	"	15	20	
	269	One	125	4 33	10.	10.	210	"	57		
W. 1 to 1/2 l o 3.	101	1		25	87.	Eay, F. F.	11.	12			
W 1/2 to 1/2 l o 3.	101	1		25	87.	Eay, F. F.	11.	12			
W 1/2 to 1/2 l o 3.	101	1		25	87.	Eay, F. F.	11.	12			
W 1/2 to 1/2 l o 3											

WEEKLY GAZETTE, COLORADO SPRINGS, COLOR., SATURDAY, NOVEMBER 2, 1889.

TOWN OF FOUNTAIN--Continued.

NAME OF OWNER.	LOT OR PART OF LOT	BLOCK	ADD. OR SUB	VALUE	TAX
Winer, Emilie.....	12.....	Rec'd's	10.....	\$20	.36
6.....	22.....	10.....	15.....	25	
Wilson, O. A.....	18.....	26.....	15.....	25	
Wilson, E. W.....	3.....	8.....	15.....	25	
Wilson, Walter.....	1.....	59.....	20.....	36	
Wormerley, Alex.....	12.....	10.....	15.....	26	
Woocock, Lou.....	11.....	12.....	15.....	25	
Yarn, John.....	23.....	20.....	15.....	25	
Yates, No.....	17.....	27.....	15.....	26	
Yates, Anton.....	19.....	29.....	10.....	17	
Zelens, Wm.....	13.....	9.....	20.....	36	
Unknown.....	17.....	14.....	15.....	26	
Zelens, Wm.....	11, 12.....	2.....	10.....	17	
Unknown.....	16.....	9.....	20.....	34	
22.....	9.....	20.....	34		
23.....	9.....	20.....	34		
24.....	9.....	20.....	20.....		
3.....	10.....	20.....	20.....		
18.....	12.....	20.....	20.....		
3.....	14.....	20.....	20.....		
9.....	16.....	20.....	20.....		
4.....	16.....	20.....	20.....		
17.....	16.....	20.....	20.....		
1.....	48.....	20.....	20.....		
2.....	20.....	20.....	20.....		
11.....	3.....	20.....	20.....		
15.....	5.....	20.....	20.....		
2.....	Rec'd's 2nd	20.....	20.....		
5.....	5.....	20.....	20.....		
23.....	5.....	20.....	20.....		
14.....	8.....	20.....	20.....		
16.....	10.....	20.....	20.....		
1.....	10.....	20.....	20.....		
16.....	10.....	20.....	20.....		
17.....	10.....	20.....	20.....		
18.....	10.....	20.....	20.....		
19.....	16.....	20.....	20.....		
41.....	12.....	Sainte Anne	35.....	59	
2.....	4.....	Tutuans'	20.....	34	
7.....	4.....	20.....	15.....	26	
2.....	5.....	20.....	15.....	26	
3.....	5.....	20.....	15.....	26	
4.....	5.....	20.....	15.....	26	
5.....	6.....	20.....	15.....	26	
6.....	6.....	20.....	15.....	26	
7.....	5.....	20.....	15.....	26	
8.....	5.....	20.....	15.....	26	
9.....	5.....	20.....	15.....	26	
10.....	5.....	20.....	15.....	26	
11.....	5.....	20.....	15.....	26	
12.....	6.....	20.....	15.....	26	
13.....	6.....	20.....	15.....	26	
14.....	6.....	20.....	15.....	26	
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20.....	6.....	20.....	15.....	26	
21.....	6.....	20.....	15.....	26	
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27.....	6.....	20.....	15.....	26	
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120.....	6.....	20.....	15.....	26	
121.....	6.....	20.....	15.....	26	
122.....	6.....	20.....	15.....		

